

Service Date: November 26, 2014

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF NorthWestern)	REGULATORY DIVISION
Energy's 2012-2013 Electricity Supply)	
Tracker)	DOCKET NO. D2013.5.33
)	
IN THE MATTER OF NorthWestern)	DOCKET NO. D2014.5.46
Energy's 2013-2014 Electricity Supply)	
Tracker)	

NOTICE OF COMMISSION ACTION

NorthWestern Corporation, doing business as NorthWestern Energy (NorthWestern), filed its 2012-2013 Electricity Supply Tracker on May 31, 2013. The Montana Public Service Commission (Commission) granted *Interim Order 7283* on June 18, and issued a *Notice of Application and Intervention Deadline* on June 19, 2013.

NorthWestern filed its 2013-2014 Electricity Supply Tracker on May 29, 2014. *See Notice of Commn. Action*, Dkt. D2013.5.33 (May 12, 2014) (consolidating the two trackers). The Commission issued a *Notice of Application and Intervention Deadline* on May 31, and granted *Interim Order 7283a* on June 17, 2014.

The Human Resource Council District XI, Montana Consumer Counsel, Montana Environmental Information Center (MEIC), Natural Resources Defense Council, and Sierra Club are parties to this proceeding. *See Notice of Commn. Action*, Dkt. D2013.5.33 (Aug. 20, 2014).

On October 22, 2014, the Commission issued *Procedural Order 7283b*, establishing discovery deadlines and providing that a party may object to a data request “no later than the deadline to respond to the data request.” Or. 7283b, Dkt. D2013.5.33, ¶¶ 9-10 (“If a data request asks for trade secret information, the responding party must file a motion for a protective order . . . no later than the deadline to respond to the data request.”). The Commission has since suspended the initial deadlines established in *Procedural Order 7283b* in order to resolve various discovery disputes. *See Notice of Staff Action*, Dkt. D2013.5.33, pp. 1-2 (Nov. 17, 2014).

On October 7, 2014, the MEIC and Sierra Club served *Data Requests MEIC-012 through MEIC-032* on NorthWestern. On November 5, 2014, NorthWestern objected to Data Requests MEIC-024, MEIC-025, MEIC-026, MEIC-027, MEIC-028, MEIC-030, MEIC-031, and MEIC-032. The MEIC and Sierra Club filed a *Response to NorthWestern Energy's Objections* on November 13, and NorthWestern filed a *Reply* on November 18, 2014.

On November 25, 2014, the Commission sustained NorthWestern's objections to Data Requests MEIC-027, MEIC-031 and MEIC-032, and overruled its objection to MEIC-025. The four remaining objections were sustained in part and overruled in part. With respect to MEIC-024 and MEIC-026, the Commission sustained NorthWestern's objections to providing information about Colstrip Units 1 and 2, but overruled its objections to providing information about Units 3 and/or 4. With respect to MEIC-028, the Commission sustained the objection to providing forced outage information for coal-fired units other than Colstrip Unit 4 (CU4), but overruled the objection to providing forced outage information for CU4. With respect to MEIC-030, the Commission sustained the objection to providing assessments done after the CU4 outage (i.e., January 2014), but overruled the objection to providing assessments done before or during the CU4 outage.

BY THE MONTANA PUBLIC SERVICE COMMISSION

W. A. (BILL) GALLAGHER, Chairman

BOB LAKE, Vice Chairman

KIRK BUSHMAN, Commissioner

TRAVIS KAVULLA, Commissioner

ROGER KOOPMAN, Commissioner